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Author:

Title:

**Sixteen-year minimum
age for employment**

Place:

Washington, D.C.

Date:

[1947]

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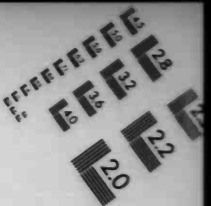
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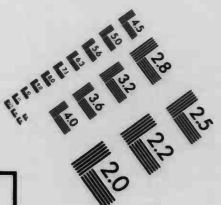


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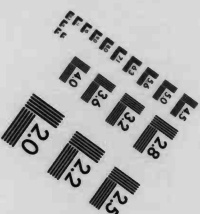
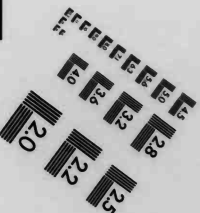
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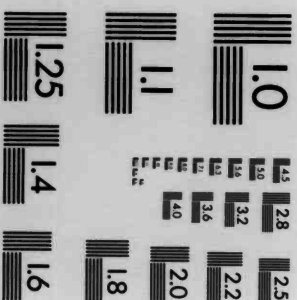
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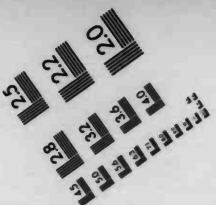
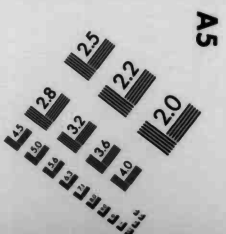
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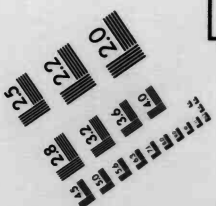
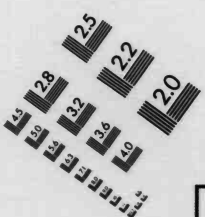
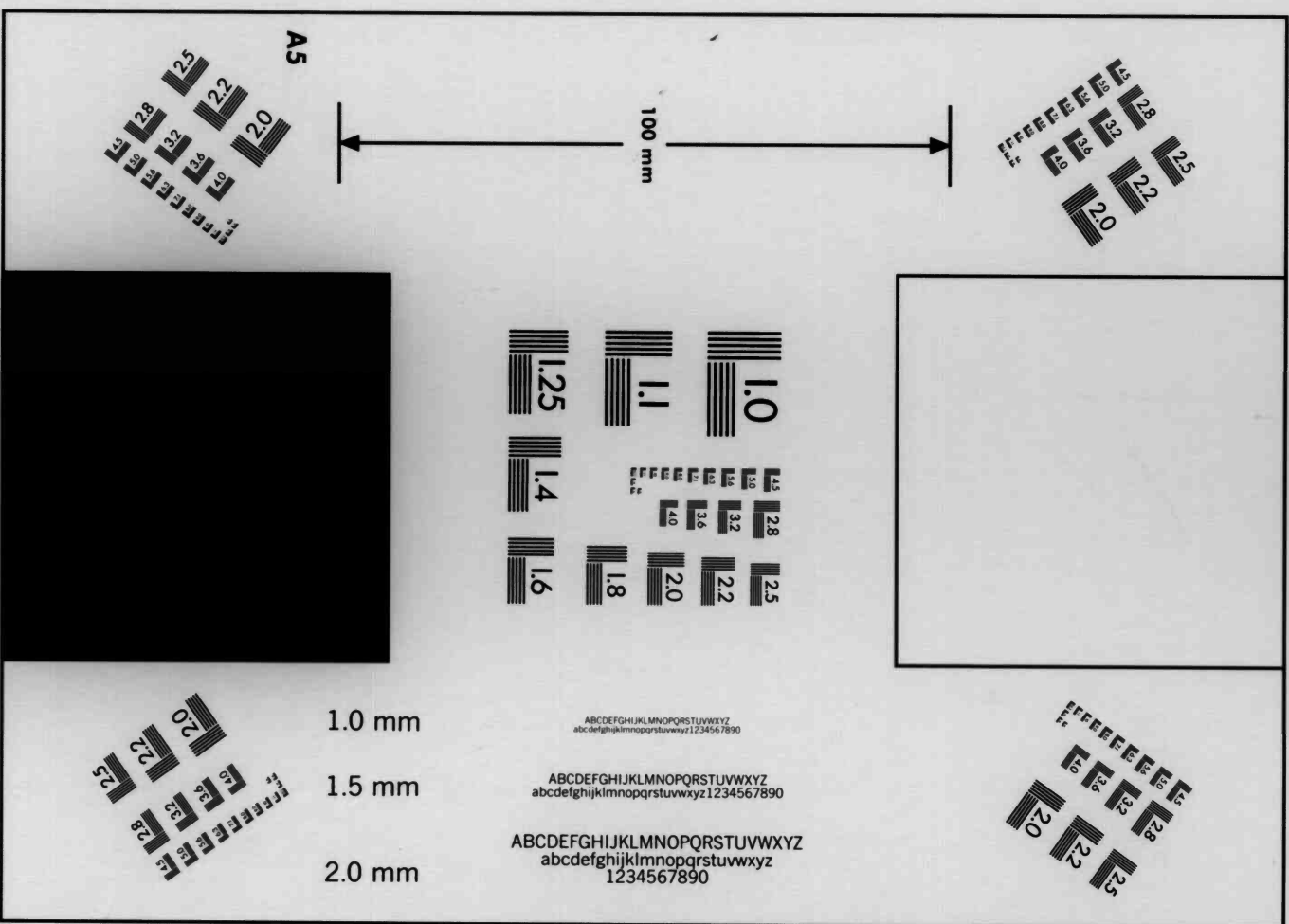
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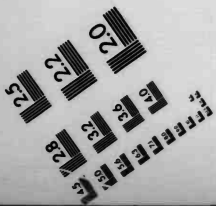
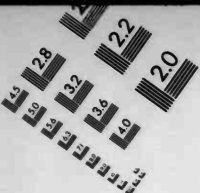
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JULY, 1947.

U. S. Labor standards div.
Sixteen year minimum age
for employment. rev. July, 1947.

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**SIXTEEN-YEAR
MINIMUM AGE
for EMPLOYMENT**

REVISED JULY 1947

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U. S. DEPARTMENT OF LABOR
DIVISION OF LABOR STANDARDS
Washington 25, D. C.

JUL 14 1953 BB

SIXTEEN-YEAR MINIMUM AGE FOR EMPLOYMENT

A Postwar Goal for Protection of the Nation's Children

THIS IS THE TIME

As our country accustoms itself again to a peacetime status it is time to give new thought to the needs of our young people, for employment and for education. It is time to go forward again, step by step, toward the elimination of undesirable employment of youth under 18 and toward providing opportunity for all the Nation's children to continue their education at least through high school. A first step on this path—an immediate postwar goal—is the establishment, in every State where it is not already in effect, of a basic standard of 16 years as the minimum age for employment.

No longer should our school-age boys and girls be called upon, as they were during the war, to leave school for work in factories, in trade and service industries, or in other employments. There are still many States in which children of 14 and 15, or even under 14, may be employed while schools are in session. In most of the States the minimum age for work in factories under State laws is still 14.

Although under the "GI Bill of Rights" many veterans are availing themselves of educational benefits, the Bureau of the Census recently pointed out that the formal education of the young people who were between 16 and 24 years of age during the war will probably be less, in the long run, than it would have been if there had been no war. This makes it especially important to the Nation to see that all members of the present generation of school-age boys and girls go to school and remain there long enough to obtain the best education they are capable of absorbing.

During 1947, 44 State legislatures met in regular session. Although a great deal of legislation was proposed in the field of child labor, few improvements were made. During 1948 the legislatures meet in regular session in Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina, and Virginia. In these States there will be opportunity to strengthen laws relating to the employment of boys and girls. Elsewhere that year will be one in which to evaluate the protection now given children and, where needed, to lay the ground

work for action in 1949. Experience shows that passage of child-labor legislation usually requires a period of active education of the public to an understanding of existing conditions and needs.

TO GIVE CHILDREN A CHANCE

The purpose of the 16-year minimum-age standard is to protect children from premature or harmful employment and to give them a chance for schooling, healthful development, and necessary playtime. The long-range trend toward keener competition for jobs, briefly reversed by war demands, has been resumed. Any increase in unemployment or threat of unemployment would accelerate this trend. Educational qualifications for jobs are being raised.

The proposed standard not only will improve the young job seeker's chances of obtaining a satisfactory job, but will raise the level of education of the youth of the country and thus help to give them a broader understanding of their part in the complex world of today.

HERE IS THE PICTURE

Youth employment

Wartime employment of boys and girls under 18 pointed up as never before the urgent need for improvement in

legislation regulating child labor, particularly the minimum age for employment. During the war large numbers of boys and girls cut short their schooling to take jobs or worked while attending school. Almost 3½ million minors 14 through 17 years of age were estimated to be at work in April 1945 and over 4½ million during the peak of the summer season.

The present picture reflects less demand for young workers than existed during the war. Nevertheless, in April 1947 nearly 2 million minors 14 through 17 years of age were at work, and of these roughly half were out of school and working full time. The rest were working in addition to attending school. Although far below the wartime peak, the number of young workers 14 through 17 is still practically double the 1940 figure of about 1 million. Well over 600,000 children of 14 or 15 years are included in the April 1947 figure.

Many thousands of children under 14 years of age are also at work, although there is no official estimate of their number.

Employment affects school enrollments

The cost to education of this abnormal amount of youth employment and child labor created by the war, is shown by its effect on high-school enrollments. These fell consistently during the war. Enrollments have risen slightly

since the war ended, but the number of boys and girls enrolled in high school was about a million less in 1946-47 than in 1940-41. Although a considerable part of this drop reflects the decrease since 1940 in the population of high-school age, there are still far too many boys and girls at work instead of in school.

SIXTEEN IS THE GOAL

It is recommended that State child-labor laws be reviewed and amended wherever necessary to meet the following minimum-age standard:

No minor under 16 years of age shall be employed, permitted, or suffered to work in any gainful occupation during school hours and no minor under 16 years of age shall be employed, permitted, or suffered to work in, or in connection with, any manufacturing or mechanical establishment.

This standard was proposed in 1945 by the Children's Bureau, at that time in the Department of Labor, and by many organizations and individuals concerned with post-war safeguards for children. The proposal met an encouraging response during 1945 even while the war was still in progress. Ground work for future action was laid or strengthened in many States. Although no State has

since adopted legislation that meets the proposed standard in its entirety, Maine and Illinois in 1945, and Georgia in 1946, took important steps in that direction. In 1947, Massachusetts strengthened its basic 16-year minimum age by eliminating the provision for issuance of discretionary permits for employment of children 14 and 15, in manufacturing and mechanical establishments, thus setting 16 as the minimum age for all employment in these establishments.

A State considering the amendment of its child-labor law to incorporate the proposed standard will want also to give attention to the minimum age for work outside school hours. The existing minimum age for such work should be retained or, if the existing standard does not provide sufficient protection, an adequate standard for such employment should be set.

The promotion of this 16-year minimum-age standard in some States may well lead to strengthening or extending other provisions of the child-labor laws protecting young workers up to 18 years of age, as well as school-attendance requirements. Particular consideration should be given to adequate regulation of hours of work, protection from night work and hazardous occupations, employment- or age-certificate requirements, and other administrative provisions for the adequate enforcement of such laws.

Legend:

- 16-year minimum age
- Less than 16-year minimum

Map showing the percentage of the population aged 16 and over in 1960. States are shaded black for 'Less than 16-year minimum' and white for '16-year minimum age'.

States labeled on map:

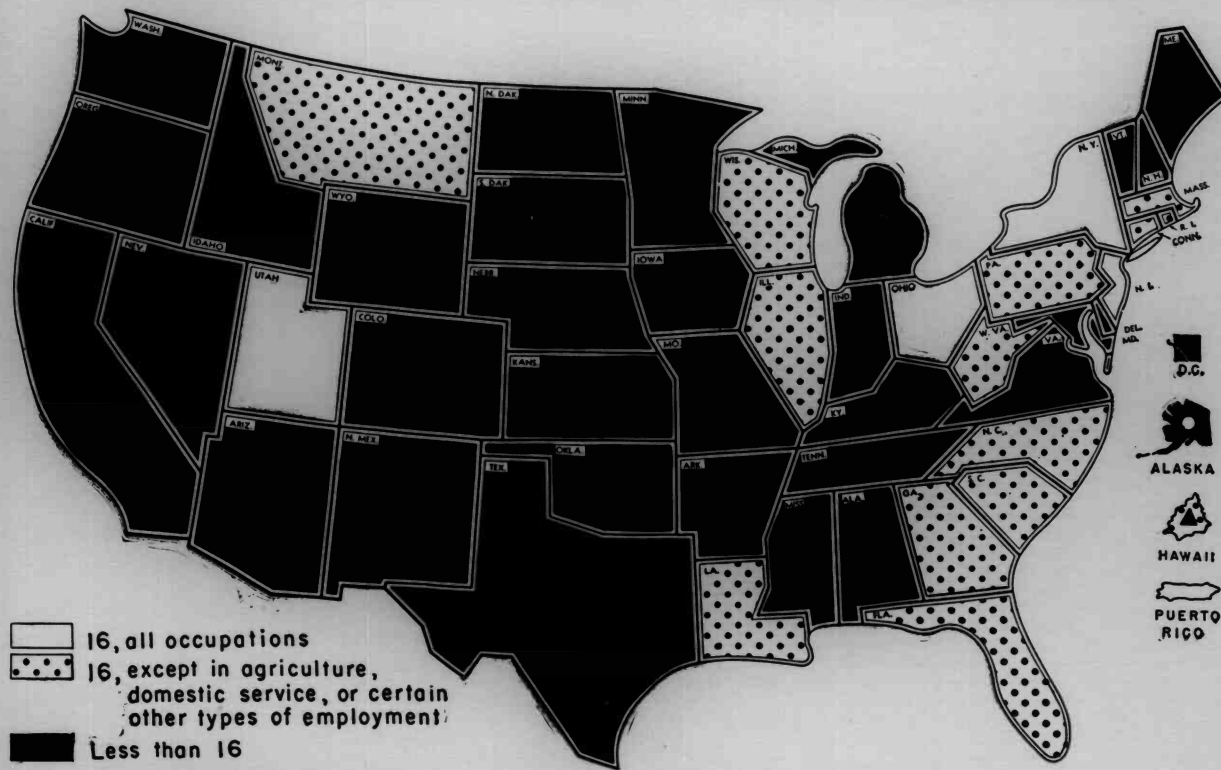
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Inset maps show:

- ALASKA
- HAWAII
- PUERTO RICO

○ *Alaska*: No minimum age for boys, but 16-year minimum age for girls.

MINIMUM AGE FOR EMPLOYMENT DURING SCHOOL HOURS



▲ *Hawaii*: The 16-year minimum age applies only when children are legally required to attend school.
 ○ *Alaska*: No minimum age for boys, but 16 for girls in any mercantile or industrial business.

HOW DO THE STATES STAND?

The minimum age of the proposed standard for State laws would approximate the minimum age fixed under the Federal Fair Labor Standards Act of 1938, which, however, is limited in its application to establishments producing goods for shipment in interstate or foreign commerce.

Seventeen States have now adopted child-labor laws that meet the recommended 16-year standard in full or in part.¹ Three of these 17 States, New Jersey, New York, and Utah, together with Puerto Rico, have minimum-age requirements that equal the standard. Seven States: Georgia, Louisiana, North Carolina, Pennsylvania, Rhode Island, South Carolina, and West Virginia, have a minimum age of 16 for any employment in manufacturing establishments, and also for any employment whatsoever during school hours with the exception of employment in agriculture and, usually, domestic service in private homes. The Georgia law, in addition, exempts all employment of children by their parents.

¹ For the purpose of this classification, State laws that "meet the recommended 16-year standard in full or in part" are laws that have one or both of the following standards: A 16-year minimum age for any work in manufacturing establishments, or a 16-year minimum age for all employment during school hours or for all such employment except in agriculture or in domestic service in private homes.

Of the seven remaining States whose laws approach the proposed standard, four, Connecticut, Florida, Massachusetts, and Montana, equal it for factory employment but permit employment of children under 16 during school hours in agriculture and domestic service in private homes; also in certain other types of nonfactory employment. Ohio has a 16-year minimum for all work during school hours, and Wisconsin for all except in agriculture, but both permit factory employment at 14 outside school hours. Illinois, through a combination of minimum-age and employment-certificate requirements in its child-labor law, also has a 16-year minimum age for all work during school hours, except in agriculture. Employment is permitted at 14 in factories outside school hours except in "dangerous or hazardous factory work," to which the 16-year minimum age applies.

In addition to these 17 States and Puerto Rico, Hawaii has a 16-year minimum age for employment of children when they are legally required to attend school, but a 14-year minimum applies when they are not legally required to attend school.

Thirty-one States have a basic minimum age of less than 16 years for employment in manufacturing establishments or for employment during school hours, some of them permitting limited employment under the basic

minimum. This minimum age is 15 years in 3 States: California, Maine, and Texas. It is 14 years in 27 States: Alabama, Arizona, Arkansas, Colorado, Delaware, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Vermont, Virginia, and Washington. One state, Wyoming, establishes no minimum age for employment; however, children under 16 required by law to attend school may not be employed during the time the public schools of the school district are in session. Alaska has a 16-year minimum age for the employment of girls at any time in any mercantile or industrial business but has no minimum age for the employment of boys.

The maps on pages 4 and 5 show the States which have a minimum age of 16 years for employment in factories and for employment during school hours.

SIXTEEN-YEAR MINIMUM WINS WIDE SUPPORT

The proposed standard of a 16-year minimum age for employment is widely recognized as a desirable goal in child-labor legislation and has received the approval of

national organizations and national conferences, labor commissioners, and others concerned with promoting the best interests of children.

The International Association of Governmental Labor Officials, an organization of State and Federal labor-law administrators, recommends as one of the basic standards for State child-labor legislation a 16-year minimum age for all employment during school hours and for all factory work at any time. It has consistently supported this recommendation for more than a decade.

The National Conference on Labor Legislation, called annually by the Secretary of Labor, which includes representatives of State labor departments and of organized labor, appointed by the governors, has consistently recommended revision of State child-labor laws to provide a basic 16-year minimum age for employment. On December 11, 1946, it passed the following resolution:

Resolved that this Conference urge active promotion and support, by State labor officials and representatives of organized labor, and all other interested organizations, of legislative action, both State and Federal, to attain the objectives that have been advocated by these conferences in past years.

These objectives include for State legislation a basic 16-year minimum age for employment and, for minors under 18, limitation of hours of labor, pro-

hibition of night work, and protection from hazardous occupations; and for Federal legislation, extension of child-labor coverage to all establishments engaged in interstate commerce.

The action program adopted by the National Commission on Children and Youth, meeting in Washington, December 11, 1946, includes the following plank on child-labor legislation:

To press for extension of the child-labor provisions of the Fair Labor Standards Act to cover all employment in or in connection with interstate commerce, including industrialized agriculture.

To raise standards of State legislation to set: a 16-year minimum age for any employment during school hours and for work at any time in manufacturing and mechanical establishments; a 14-year minimum for other employment outside of school hours; a maximum of 40 hours a week and no night work.

To extend compulsory school-attendance laws to cover all children between 6 and 18 years of age, with allowance for legal employment of those 16 and 17 years of age and exemption of high-school graduates.

Other national organizations that have endorsed a basic 16-year minimum age for employment include:

American Federation of Labor
American Federation of Teachers
Communications Workers of America
Congress of Industrial Organizations
Council of State Governments
General Federation of Women's Clubs
National Child Labor Committee
National Congress of Colored Parents and Teachers
National Congress of Parents and Teachers
National Consumers' League
National Council of Negro Women
National Women's Trade Union League
White House Conference on Children in a Democracy
Young Women's Christian Association

A STEP TOWARD A BETTER FUTURE

During the war the national policy on employment of youth was that "The first responsibility and obligation of youth under 18 even in wartime is to take full advantage of their educational opportunities in order to prepare themselves for war and postwar services and for the duties of citizenship."

How much more important to the future of our Nation that our children have every chance in the years ahead to prepare themselves for citizenship! Every State that sets up the recommended standard of a basic 16-year minimum age for employment will have made an important step toward ensuring all its youth a better future.

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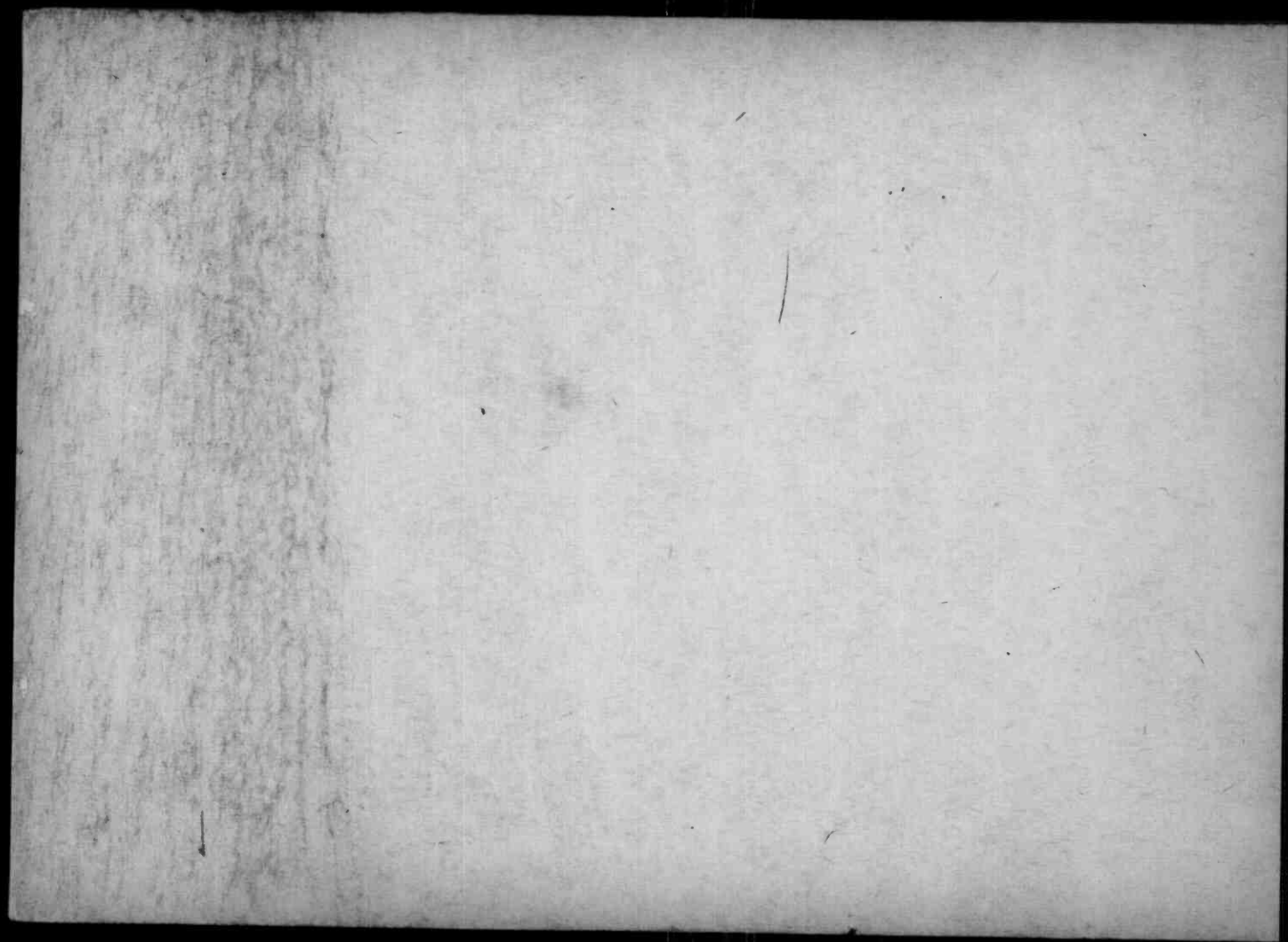
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